

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BOBBY JOE LYONS,

Plaintiff,

v.

JAMES KEY, DONNA BYRNUS,
MARK SHODAHL, MICHAEL
MATTERN, and SGT RODRIGUEZ,

Defendants.

NO: 2:21-CV-0263-TOR

ORDER OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE

BEFORE THE COURT is Plaintiff's Motion to Withdraw Complaint. ECF No. 8. Plaintiff has not paid the filing fee. 28 U.S.C. § 1915. Because Defendants have neither filed an answer nor moved for summary judgment, Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

ACCORDINGLY, IT IS HEREBY ORDERED:

All claims and causes of action in this matter are **DISMISSED** without prejudice and without costs or fees to any party.

All pending motions are **DENIED**.

The District Court Executive is directed to enter this Order and Judgment of Dismissal, furnish copies to Plaintiff, and **CLOSE** the file.

DATED October 13, 2021.



THOMAS O. RICE
United States District Judge